







Preventing human trafficking and sham marriages: A multidisciplinary solution (HESTIA)

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Methodical material

Reduction of Exploitative Sham Marriages: Training for Trainers Training



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Project "Preventing human trafficking and sham marriages: A multidisciplinary solution (HESTIA)" is being implemented from 01/01/2015 to 31/12/2016.

The objective of the project is to create a shared understanding of a new, evolving new form of trafficking in human beings - through sham marriages, provide a precise definition of sham marriages as a form of human trafficking hitherto inexistent at the EU level, and initiate a comprehensive action for its prevention.

Project contracting partner and coordinator is Ministry of the Interior (Latvia) and project partners are "Shelter "Safe House"" (Latvia), "Living for Tomorrow" (Estonia), "Caritas Lithuania" (Lithuania), Immigrant Council of Ireland (Ireland), Ministry of the Interior (Slovakia), The European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI) (Finland). Project associated partners: The State Police (Latvia), Ministry of Foreign Affairs (Latvia), Department of Justice and Equality (Ireland).

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Introduction

Reduction of Exploitative Sham Marriages: Training for Trainers Training Material

Trafficking in human beings is a topical issue across the world, and different authorities, services and non-governmental organisations carry out unceasing work to reduce it. However, none of the countries in the world has fully eradicated trafficking in human beings, although we are very well aware of its causes and reasons for its intrinsic existence. We are still unable to combat it fully, since the demand promotes the supply as the result of global economy development and migration processes. There is demand for cheap labour force, sexual services, and human resources intended to be used for criminal purposes. The demand promotes the expansion of illegal activities carried out by organisers of trafficking in human beings and recruiters, as a result of which people from different groups of society suffer: both people who ended up being exploited and their relatives, as well as society in general. It is the duty of the government to work and cooperate with the non-governmental sector and society in order to purposefully counteract those promoting trafficking in human beings. It is necessary to keep informing the public, educate specialists, find the guilty and punish them, provide assistance, support and protection to the victims of trafficking in human beings.

Countries around the world make a lot of effort to reduce the phenomenon of trafficking in human beings and protect people from abuse. Society is regularly informed about trafficking in human beings. Despite the efforts to prevent and combat trafficking in human beings, most often it means working with consequences, i.e. provision of assistance to the victims. In the age of rapid development of modern technologies, which the criminals endeavour to use for attaining their illegal goals, we have and will always have important means at our disposal to counteract the criminal business – our knowledge, skills, wish to improve, creative potential and incentive to continue the fight against trafficking in human beings.

Exploitative sham marriage is abuse of a person, and the team of HESTIA Project partner countries has been working for two years to ensure evidence (facts and figures) based analysis of the situation and a universal training methodology for experts and practitioners to have effective tools at their disposal for fighting against this form of abuse.

I wish everyone to be aware, well-informed, attentive and avoid being indifferent, since we can make the situation better by reporting, cooperating and providing assistance. At the same time, it is to be taken into account that no one is protected from trafficking in human beings and can end up in a situation of trafficking in human beings.

Lāsma Stabiṇa, Manager of HESTIA Project "Preventing Human Trafficking and Sham Marriages: A Multidisciplinary Solution", National Anti-Trafficking Coordinator, Ministry of the Interior of the Republic of Latvia

Dear trainers!

In order to combat a global phenomenon "exploitative sham marriages", this Training Material is designed to be a comprehensive tool for countering a global phenomenon of human trafficking, and in particular sham marriages involving exploitation and even human trafficking. The material includes both the theoretical basis and the practical information for the implementation of the trainings, which you can keep supplementing and utilizing in future trainings.

One of the central themes of the manual is to bring together interprofessional teams in order to combine, and learn from, the experiences of various actors that are in a position to identify and prevent trafficking in human beings." It is important that these specialists hear each other out in person, get to know the competences of each profession, and meet in person, since only then will their cooperation in providing assistance to a victim of trafficking in human beings be effective and professional.

As a source of inspiration for arising awareness on the topic, this Training Material may come in handy for anyone, who shows empathy to a victim and who is willing to help his or her peer.

Authors hope that this Training Material will not only give the reader impetus in training new trainers in order to discuss this topic on 18 October, the yearly European Anti-Trafficking Day, but also during future meetings with specialists.

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About the Training Material

The **goal** of the training programme is to prepare various specialists – further education teachers - for rising awareness on the subject among peers and other specialists, as well as to initiate awareness on the subject in society in general.

The main **tasks** of the training programme are the following:

- to structure the knowledge of professionals about trafficking in human beings
- to improve knowledge about exploitative sham marriages as a form of trafficking in human beings
- to show to the professionals that it is possible to stop at each stage of the sham marriage process, thus, in general preventing the abuse of people in this form of trafficking in human beings.

The **target group** of the training programme is specialists of various fields — social workers, police officers, media representatives, teachers/ educational staff, health professionals, staff of the youth centres and social care centres, border guards, librarians, employees of the State Employment Agencies, recruitment office employees, airport workers, quardians, lawyers, prosecutors, etc.

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1. "Trafficking in Human Beings" Concept and Purpose 1.1. Definition of Trafficking in Human Beings

The definition of trafficking in human beings is based on *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime of 15 November 2000¹¹.* The Protocol defines trafficking in human beings as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation includes, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.

The definition of trafficking in human beings has a crucial significance, since it allows for classifying certain activities and recognising them as a crime. The definition must be understood to the widest extent possible, encompassing the most diverse circumstances and activities; hence, it facilitates the identification of cases of trafficking in human beings and allows for avoiding situations when a case is not deemed as a crime due to an incomplete definition.

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims²² and replacing the Council Framework Decision with a strict reference to national legal acts, stipulates a possibility of protecting a victim of trafficking in human beings from prosecution or punishment for criminal activities such as the use of false documents, or offences under legislation on prostitution or immigration, that they have been compelled to commit as a direct consequence of being subject to trafficking.

To combat the more recently identified forms of trafficking in human

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organised Crime; https://ec.europa.eu/anti-trafficking/legislation-and-case-law-international-legislation-united-nations/united-nations-protocol-prevent_en

Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims — http://eur-lex.europa.eu/legal-content/LV/ALL/?uri=CELEX:32011L0036

beings, including the abuse of persons for committing crimes, for example, in the form of trafficking in human beings for sham marriages, Directive 2011/36/EU has been developed. It includes additional manifestations of exploitation and a wider concept of what is to be deemed as trafficking in human beings than that stipulated in Framework Decision 2002/629/JHA. Directive 2011/36/EU extends the types of exploitation with the use of persons for criminal activities, i.e. involvement of a person in offences, for which criminal sanctions are stipulated and which are related to financial benefits to the participants of a crime. The force of this norm within a narrower meaning refers to trafficking in human beings crimes, if they have been partially committed (any stage of the crime) within the territory of their Member State or their perpetrator is its national. Within a wider meaning, the Directive refers also to offences committed for the benefit of a legal person that carries out business activities within its territory or the perpetrator of the offence is a permanent resident within the territory of the Member State, as well as if the offence has been committed against a national of the Member State or a person, who is a permanent resident within the territory thereof.

Criminal liability for trafficking in human beings offences committed outside the territory of the Member State

In accordance with requirements set forth in Directive 2011/36/EU, each Member State shall carry out criminal procedural activities in relation to the perpetrators of crimes related to trafficking in their nationals, initiating criminal proceedings regardless of the fact whether activities related to trafficking in human beings committed against a person are criminal offences in the territory where they are committed (finished). To initiate a criminal case, there is no need for a victim's application in the place where the offence is committed (finished) abroad. The Directive contains no mandatory requirements and prohibitions to arrest, commit, or keep in places of detention victims of trafficking in human beings. The Directive contains a statement that the safeguard of a victim of trafficking in human beings should not exclude his or her prosecution or punishment. The aim of such protection is to safeguard the human rights of victims, to avoid further victimisation and to encourage them to act as witnesses in criminal proceedings against the perpetrators. This safeguard should not exclude prosecution or punishment for offences that a person has voluntarily committed or participated in.

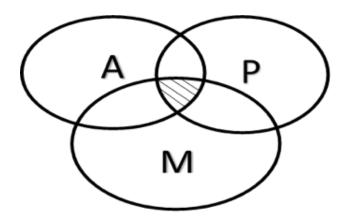
The Directive stipulates maximum penalties for criminal offences:

- deprivation of liberty for a term of at least 5 years;
- deprivation of liberty for a term of at least 10 years if there are aggravating circumstances in the case (for example, a criminal offence "was committed by use of serious violence or has caused particularly serious harm to the victim").

1.2. Preconditions of Trafficking in Human Beings

The set of preconditions of trafficking in human beings indicates planned or occurred trafficking in human beings.

Acts (A) for the purpose of exploitation (P), which includes the usage of means (M) to ensure operational control over the victim, are recognised as trafficking in human beings (APM).



The set of preconditions of trafficking in human beings includes activities for the purpose of using (exploiting) an abused (forced) victim.

Preconditions of trafficking in human beings are the following:

- **1. Acts (A)**: may include activities such as transportation, transfer, hiding, harbouring or receipt of persons, including the exchange or transfer of control.
 - **recruitment** involvement of a person in trafficking in human beings, carrying out mutual negotiations, as well as using third parties, placing job offer advertisements in mass media, etc.;
 - transportation and/or abduction of a person transportation of

a person from one place to another — by land, air, water using any vehicle; delivery of a person to the required place, accompanying him or her or also helping the person to leave (arrive);

- **transfer** leaving a recruited person delivered for exploitation or transferring him or her to another person;
- **harbouring** provision of a person with a place to stay, implementing control of the movement of the person;
- hiding holding a person in a place unknown to others; ensuring circumstances preventing others from finding this person;
- reception awaiting and acceptance of a delivered (abducted) person;
- **exchange of control** supervision, management of person's actions.

Referred to activities are characterised by the direct intent of the perpetrator. It is impossible to carry out activities aimed at trafficking in human beings due to negligence, it means that a person is aware of the harmfulness of his/her activities and carries out them deliberately or allows them, as well as plans harmful consequences of the offence and wishes for them to occur.

2. Purpose (P) determines criminalised types of exploitative using a person (within a wider meaning, losing control over the victim's body or psychological freedom), which is the involvement of persons in types of sexual abuse, coercion to perform work or provide services (mendicity), holding in slavery (forms equivalent thereto), servitude, usage for criminal activities or removal of organs.

Within the context of an exploitative sham marriage, it should be understood as involvement of a person for committing a criminal offence (sham marriages, fraud, recruitment of other victims), for which criminal sanctions are stipulated and which are related to the financial benefit for the participants of the crime.

Exploitation can be of different forms; however, the most frequently encountered forms of exploitation with regard to exploitative sham marriages are the following:

1) **involvement in the committing of a criminal offence** — sham marriages, often enough also in other illegal activities, for example, theft,

recruitment of other victims;

- 2) **provision of forced sexual services** to a fictitious husband, often enough to his relatives and/or friends;
- 3) **slavery condition** restriction of the person's freedom, full control: the person cannot leave her room, cannot communicate with relatives or friends, must accept unfamiliar traditions, etc.; a situation of psychological and physical violence, full economic dependence, life under a constant threat.
- 3. The aim of means (M) is to make a victim believe that she or he is unable to refuse from the provision of particular services. Within the context of trafficking in human beings, coercive methods can be the following:
- □ **violent** threats or use of force or other forms of coercion; Violence may be manifested in several forms:
- Physical violence use of force in any form and use of any means and methods threatening the physical safety of a person against her will. It can be manifested also without causing any physical pain or bodily injuries, when the guilty person restricts the movement of the victim, binding or isolating her in a closed room, holds the victim, pushes or kicks, or otherwise uses physical force; as well as causing an unconscious condition of the victim by means of drastic, poisonous, narcotic or psychotropic substances.
- **Psychic (emotional) violence** information with an intent to cause harm to another person (threatening information), as well as the transfer of this information from the guilty person to the victim (threatening influence). It is usually implemented with an informative impact on the psyche of another person, using psychic factors, for example, information of a psycho-traumatic nature.
- Sexual violence committing of activities of a sexual nature or involvement of a person in activities of a sexual nature against the person's will.
- Psychological violence deliberate actions, by means of which, using coercion or threat, the psychological integrity of a person is seriously harmed. Also activities such as persecution — deliberate actions, when threats are repeatedly aimed at another person, making this person fear about her safety.

- □ **non-violent** deceit, fraud, deception, abusing power or a position of vulnerability:
- **deceit** is manifested as deceiving a person, deliberately providing false information or concealing certain information.
- **fraud** is a malicious activity for mercenary purposes, using the trust of the victim or by deceit. The evildoer already initially plans not to fulfil his or her obligations against the victim and, thus, the abuse of victim's trust is manifested.
- **deception** is a set of activities against a victim by means of false information that makes or can make her make a decision in the interests of the evildoer, which she would have not made otherwise.

2. The Phenomenon of a Sham Marriage

2.1. Sham Marriage as an Aspect of Immigration

In accordance with Council Resolution of 4 December 1997 on measures to be adopted on the combating of marriages of convenience $(97/C\ 382/01)^{33}$, it is recognised that they are aimed at by-passing laws on the entering and residence of third-country nationals within the territory of the European Union.

A genuine marriage imposes a duty on the husband and wife to show mutual trust, care for each other and jointly care for the family's welfare. The duty of both spouses is to cover family and joint household expenses from the joint property of spouses for the purposes of creating a long-term family unit with a real marriage life by joint forces.

In a marriage registered without the purpose of creating a family (sham marriage), for example, to optimise certain civil relations (for example, to obtain a certain surname, tax allowances, the right to a social place of residence for young spouses, etc.), spouses do not need to care for each other within the widest meaning thereof and to jointly maintain a household. For more information on definitions see the HESTIA report chapter II.

Factors which may provide grounds for believing that a marriage is one of convenience are in particular:

- the fact that matrimonial cohabitation is not maintained,

³ Council Resolution of 4 December 1997 on measures to be adopted on the combating of marriages of convenience; http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31997Y1216(01)

- the lack of an appropriate contribution to the responsibilities arising from the marriage,
- the spouses have never met before their marriage,
- the spouses are inconsistent about their respective personal details (name, address, nationality and job), about the circumstances of their first meeting, or about other important personal information concerning them,
- the spouses do not speak a language understood by both,
- a sum of money has been handed over in order for the marriage to be contracted (with the exception of money given in the form of a dowry in the case of nationals of countries where the provision of a dowry is common practice),
- the past history of one or both of the spouses contains evidence of previous marriages of convenience or residence anomalies.

Marriages registered between a citizen of a Member State of the European Union or a third-country national, who legally resides in a Member State, and a third-country national are recognised as sham marriages (marriages without an intention to create a family) for the malicious legalisation of third-country nationals. The main goal of such marriages is to bypass regulations regarding the entry and residence of third-country nationals in the European Union and obtaining of a residence permit or an authorisation to reside in a Member State. The legalisation of third-country nationals in the European Union using sham marriages is one of types of criminal offences against migration regulations.

Both the person making an sham marriage offer and a person maliciously accepting the offer shall be held liable for the offence pursuant to general procedures. The goal of the migration offence is the obtaining of a legal status for third-country nationals in the Member States of the European Union within a shorter period with lower expenses.

The offence is committed in an active way, including in the territory of another country or outside the territory of any country; such activities result in a third-country national being ensured of an opportunity to reside in the European Union without observing existing immigration procedures in relation to residence in a relevant country. For example, the person's consent to enter into a sham marriage or to share his/her personal identification documents for a third-country national to prove his/her cohabitation with a citizen of the European Union.

2.2. A Sham Marriage as a Type of Business

A sham marriage as a type of business is financial income for the organisation of a service. Europol's Report on Trafficking in Human Beings (THB) Financial Business Model indicates that women receive on average 300.00 – 2,000.00 euros for sham marriages, while organised criminal groups earn on average 10,000.00 euros for services promoting sham marriages (selection-recruitment, preparation of documents, transportation, accommodation, legalisation — ensuring an illegal residence status). Organised crime group involved in the trafficking of human beings are mainly small and based on family and ethnic ties. They tend to work independently from other groups and launder their own criminal proceeds with little use of experts. The family cell is used to support trafficking operations and money laundering activities.

2.3. A Sham Marriage as a Form of Trafficking in Human Beings — Exploitative Sham Marriage

If the registration of a sham marriage for the legalisation of a third-country national in the European Union is recognised as a crime as stipulated by the national criminal law, once a coercion / fraud element, as well as dependence of a spouse on the guilty person or her vulnerability, or the use of the position of helplessness is discovered, such exploitative sham marriages — **sham marriages that include elements of exploitation** — are qualified as a form of trafficking in human beings — coercion to commit a criminal offence; thus, there is no need to expect the occurrence of other possible forms of exploitation.

The conditionally "voluntary" consent of a spouse to the planned marriage for the legalisation of a third-country national in the European Union, if any of coercion methods are used within the context of EP Directive 2011/36/EU, is not taken into account as participation in a sham marriage offence. A spouse can be recognised as a victim of trafficking in human beings in the offence.

The most frequently used methods in cases of exploitative marriages in the victim's country of origin are **fraud** (deceiving about the true goal of the trip to a foreign country) and the abuse of **person's vulnerability**. In turn, exploitation in the destination country occurs by using threats

or other means. More often - coercion of an economic nature on taking advantage of persons vulnerability.

2.4. Scenarios of Exploitative Sham Marriages

The following three main scenarios of sham marriages can be identified most frequently:

1) Trafficking in human beings, where a person is forced to enter into a sham marriage

Example — A pair of recruiters used their acquaintance with a person intellectual disability for achieving their goals. They told that the victim would have to go to Great Britain for entering into a marriage. Once the bride found out about the need to enter into a marriage with a third-country national from South Asia; she refused to do so. Using the dependence of the woman on recruiters, as well as using threats and physically affecting the person, recruiters nonetheless forced the victim to go to Great Britain to enter into a marriage with the set groom. Recruiters ensured the transportation of the bride to an airport and her transfer to the groom in Great Britain. The southasian accommodated the victim at his place and, using the dependence of the victim on him and the health condition of the victim, organised the registration of a marriage. The southasian, applying physical force, repeatedly sexually abused the victim. While living with him, the bride suffered from psychological and physical violence. When she was delivered to a local hospital, she was diagnosed with bodily injuries and the personnel notified the police of the incident.

2) Trafficking in human beings, where a person had initially agreed to enter into a sham marriage, but afterwards was deceived and subjected to violence (usually forced labour, committing of criminal offences, and sexual exploitation).

According to the provisions of Clause 14 of the Introductory Part of Directive 2011/36/EU, if any coercive methods are applied against a victim – citizen of the European Union to promote her decision to enter into a marriage for the malicious provision of a third-country national with a possibility of legally residing in the European Union, there are no grounds for recognising her as an accomplice in the offence against the migration regulations of the country, even if she has received money for this consent.

Example — A recruiter – citizen of the European Union recruited and accommodated at his place a victim – citizen of the European Union, whom he promised a well-paid job in Great Britain, additionally informing the woman that there was an opportunity to earn 2,000.00 euros by entering into a "sham marriage" with a third-country national from South Asia to ensure him the receipt of a residence permit in a Member State of the European Union. The recruiter informed that the future husband would help to find a job in Great Britain. The recruiter ensured the transportation of the victim to the airport and her transfer to the groom; moreover, he took away the woman's passport and, using her position of helplessness and financial dependence on him, threatening with consequence, sexually abused the victim several times. The inhabitant of South Asia/customer accommodated the victim at his house and, using the financial dependence of the victim, used her for receiving a residence permit. She did not receive any remuneration for entering into a marriage. After concluding the marriage, the groom sexually abused her every day using physical force Every Saturday and Sunday, she had to work at a shop as a cleaner, for which she did not receive any salary herself, yet saw that the husband received her salary from the shop owner.

3) A sham marriage, where a person initially had an idea that it was a real marriage, yet after some time it turned out that it was a fraud, and the person was subjected to exploitation

Example — A recruiter – citizen of the European Union recruited and accommodated at his house a citizen of the European Union (single mother, unemployed) with a minor child. She was promised an opportunity of good living by moving to Great Britain and marrying an inhabitant of South Asia to ensure him the receipt of a residence permit in a Member State of the European Union. No remuneration was promised to her for the sham marriage. The recruiter informed that the future husband would also help to find a job in Great Britain, as well as ensured the transportation of the victim to the airport and her transfer to the groom. Upon arriving in Great Britain, the potential husband/inhabitant of South Asia took care of her and created an illusion of real feelings. He treated her and her child with care. She got convinced of real feelings. Upon entering into a marriage, the inhabitant of South Asia applied for and received a residence permit. The woman did not receive any remuneration for entering into a marriage

for the groom's legal status in Great Britain. After a common child (son) was born, the man's attitude towards the woman changed drastically. The woman was forced to work at a family company, for which she did not receive any remuneration. The husband started strictly controlling her every step. Without the permit of the husband, the woman could not leave the house. The husband regularly caused scandals reproaching about her style of clothing. He used to apply physical force, if she would not obey. The man prohibited the woman from visiting her relatives, leaving Great Britain with a common child without his permit.

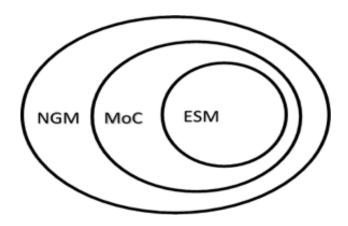
2.5. Sham Marriages and Exploitative Sham Marriages: Similarities and Differences

All cases of sham marriage (S) include activities (recruitment and control forms, if necessary) for attaining a certain selfish civil goal. No exploitation occurs and coercive preconditions are not used.

In cases of sham marriages for the purpose of migration (MoC), **such type of exploitation as committing of a crime against the laws and regulations of the country in the field of migration can occur**, yet coercive methods are still not applied against a citizen of a Member State of the European Union (accomplice in a crime).

Only when a citizen of the European Union is convinced that she cannot refuse from entering into a sham marriage with a third-country national, without posing a threat to herself or her relatives, or she is otherwise forced to participate in a criminal offence — registration of a sham marriage for legalising the residence of a third-country national in the European Union, a form of trafficking in human beings "exploitative sham marriages" (**ESM**) is identified. It can be manifested, for example, by using threat or force against a citizen of the European Union (victim), or otherwise forcing her to conform to exploitation. For example, it is done by using deceit, fraud, deception, abusing power or position of vulnerability.

If national legislation stipulates no criminal liability for entering into a sham marriage for the legalisation of a third-country national in the European Union, in order to qualify an offence as trafficking in human beings, the occurrence of other forms of exploitation, for example, servitude, sexual abuse, slavery, etc. is necessary.



3. Recruitment Mechanism

Recruitment mostly occurs by directly addressing a particular individual either in person or via social media. Due to several reasons, the organisers demand for the gender and age of a victim of an exploitative sham marriage can change. Recruitment of victims might involve persons known to victims — an employer, an acquaintance, friends, relatives, yet there are also cases when victims are recruited by unknown persons in social media.

Modern technologies, Internet, social networks, and on-line chat resources allow recruiters to send tens or hundreds of e-mails or messages, for which only a couple of victims fall. Communication can occur both by using on-line translation tools and in victim's mother tongue.

Often enough, the victims of sham marriages themselves get involved in the recruitment of next victims both voluntarily — hoping to receive money for recruitment — and being deceived — the victim's profile in social networks is used without their consent. For more information on nationally preferred recruitment ways see the HESTIA report chapter VI.

Recruitment mechanisms for exploitative sham marriages are mostly related to the deception of a victim or taking advantage of the victim's vulnerability.

To recruit victims for exploitative sham marriages, their trust is used and they are maliciously deceived. A victim, in her country of origin, is told that she will be offered a job and an opportunity to earn money abroad. A victim is convinced that a trip to a foreign country does not require any

funds for a return journey, no foreign language proficiency is necessary, a ticket for the travel will be paid by a recruiter. In the destination country, the situation changes drastically, since it turns out that there is no job. Psychological coercion is exerted on the victim, indicating that she now owes to the recruiter, therefore she has to enter into a sham marriage. In such situation, the victim is artificially forced into a debt bandage.

While in the event of a forced sham marriage, fraud is a method of enticing a victim from her country of origin (most often, a promise of a job abroad, which will ensure an opportunity to earn well), in the event of a conditionally "voluntary" sham marriage, fraud is observed in relation to the method of how an offence is committed. Victims think that they will receive money and will be able to go back after the marriage; yet in reality, money is not paid, victims have to live with a "spouse" to convince migration authorities of a real marriage, and a person is subjected to any form of violence. In the event of a unilateral sham marriage, an illusion of actual relationship is created for a victim.

In case of a visit, a victim is told that in order to obtain funds for a trip back home and to compensate for expenses for her trip and accommodation, she has to play a wife's role in a sham marriage.

To encourage to enter into a sham marriage voluntarily, victims are promised remuneration for participation in both a wedding ceremony and during the application period of a residence permit. Their economic difficulties and the need for money are used. Taking into account the specific nature of receiving a residence permit in the target country, these victims are deceived, no money is paid and they are subjected to different types of exploitation (forced labour, provision of sexual services).

No remuneration for entering into a sham marriage is received by women, who are deceived to believe the relationship to be genuine, cheated, since they thought that it would be mutual love and it would be a real marriage with a third-country national, since "flattering around"at the beginning of a relationship and a promise to get married made them think of a real marriage. Creation of an illusion of an actual relationship is highly beneficial for a third-country national, since there is no need to pay to mediators for the organisation of a sham marriage. A woman thinks that the marriage is

real and not sham. In case of this model, the relationship is subjected to an inspection by migration authorities to receive a residence permit. The woman is extremely hurried up to get married and give birth to children (a common child with a citizen of the European Union is a sufficient reason to receive a residence permit in the European Union).

4. Vulnerability of a Victim, Vulnerability Forms and Factors

A trafficking in human beings element "vulnerability" is one of the circumstances forming a crime. By extending the concept of trafficking in human beings, the possibilities of imposing criminal liability on persons, who, using the person's position of vulnerability, have recruited, transported, transferred, hidden this person, etc. for subjecting to exploitation, are extended. In judicial practice, it is accepted to perceive a person as a rational being, who is able to foresee any "force majeure" circumstances and fully control own actions, unless there is an expert's opinion regarding the opposite. Taking into account the conclusion of Directive 2011/36/ EU regarding the vulnerability as an additional element of trafficking in human beings for restricting the person's freedom of choice, it can be recognised that every person is subject to irrational prejudices and thinking stereotypes. They often determine person's actions contrary to the person's personal benefit, sometimes without understanding the justification of his/ her choice. Namely, a person has no other real or acceptable choice than to conform to exploitation.

To understand a person who is recruited for an exploitative sham marriage on the basis of her vulnerability, **the following main forms of vulnerability** are identified:

1. psychological — early childhood experience (sexual abuse, violence), psychological traumas, addictions (alcoholism, drug addiction), sudden crisis, a loss in life, etc.

Example — To fulfil the order of the organiser of exploitative sham marriages, the recruiter, searching for a bride according to height, body-build and hair colour, selected unemployed women, who had alcohol addiction, for recruitment.

2. economic — poverty, unemployment, low salary, skills inappropriate for the labour market, etc. (for example, acute need for

money).

Example — To promote the involvement of person in exploitative sham marriages, the recruiter searched for socially less secured victims for recruitment.

Recruited women, who were assigned a status of a lower-income person by a local government, were offered to search for women, who would agree to go to Ireland to enter into a sham marriage with the nationals of Southeast Asia, for remuneration.

3. social (cultural) — family conditions (dysfunctional families — addictions, violence, etc.), lack of relatives, friends and other support, influence of family members and friends (if they are related to prostitution and support it), demand for sexual services, presence of a sexual service infrastructure (pimps, massage parlours, advertising), dominating public attitude to prostitution.

Example — A woman with an intellectual disability was unable to take care of her child herself. A guardian was appointed for her and her child. After a dispute with the child's father, she left her place of residence. Since she had no place to live, she decided to go to her mother. Her mother consumed alcoholic beverages and was often under the influence of alcohol. When the woman got home, her mother called her acquaintance and arranged a meeting to discuss the provision of employment for her daughter. After finishing the phone conversation, the mother made the daughter to go on a meeting with a man – the person offering the job. After examining the woman's passport, the man told her that the passport would expire soon. The man told that the woman would have to go to change her passport together with him. It was necessary to be able to go to England with valid documents and to enter into a marriage with a national of South Asia.

It is important to emphasise that in these cases, the recruiter can be both an individual person and an organised criminal group.

A victim is affected also by the following **factors**:

1. person's physiological and psychological features:

- age and gender factors;
- intellectual and physical development;
- emotional immaturity, sensitivity;
- character and will;
- dissociation, low self-esteem, non-flexibility;

• disadvantaged background — mental disorders, diseases, depression, addiction problems.

2. constant social impact of the environment:

- socialisation process;
- experience;
- socially conditional emotions (fear of shame, blame or accusation);
- dependence on the affiliation to own group;
- high social anxiety;
- other social factors (public opinion, stereotypes, accusation or support).

3. violence dynamics and its traumatising nature:

- assault circumstances, seriousness, relation to violence;
- duration, frequency of violence;
- specific nature of relationship with an oppressor violence on the part of a family member results in serious consequences.

5. Indicators of Sham Marriage Risks

There are several indicators of the fact that a situation, in which a victim is, can be a sham marriage. The fact whether the registered marriage will be identified as an exploitative sham marriage is determined by the legislation of every country, as well as preconditions of trafficking in human beings discussed in previous sections.

We would like to draw attention to several **indicators that might suggest** sham marriage risks:

- 1) the majority of third-country nationals arrived in the European Union shortly before the marriage as undocumented immigrants;
- short-term visas of third-country nationals are to expire soon;
- 3) the main goal of third-country nationals is to obtain a permanent residence permit as a spouse/family member of a citizen of the European Union;
- 4) it is stated that it is a deal, for which a certain amount of money can be received, yet these amounts of money are not actually paid;
- 5) all expenses of the person's trip to a particular Member State of the

European Union are paid; accommodation and catering are paid, clothing, devices, toys, etc. are bought, for which a third-country national pays;

- 6) it is possible that a potential fictitious bride is first offered a job in a Member State of the European Union, while, if no job is found, a deal is offered to cover expenses by entering into a sham marriage;
- 7) the fact that a marriage will be registered is approved, but the relatives of the citizen of the European Union will not find out about this fact;
- 8) a particular period (most often 3-6 months) is specified for obligatory residence in the Member State of the European Union, where the marriage will be registered. (It is mostly related to the fact that within this period after the marriage, spouses are most often inspected by the Immigration Authority).
- 9) it is stated that the person will be able to divorce whenever she wants to;
- 10) before the marriage, the partner is promised a separate room, it is confirmed that the woman will not have to live together with the fictitious husband;
- 11) the person is forced to learn/remember the family members of the third-country national, customs, family traditions, household things, etc.;
- 12) if the person does not immediately agree to enter into a sham marriage, blackmailing with the sham marriage victim's family, who remained in the country of origin, is possible;
- 13) the fictitious pair is unable to communicate in one language or uses an interpreter as a mediator in communication;
- 14) mostly third-country nationals participate in a wedding ceremony; moreover, wedding witnesses are mostly foreigners as well;
- 15) weddings with third-country nationals are organised in the same place of registration of marriages (particular city, particular Registry Office);
- 16) immediately after entering into a marriage, a residence permit is requested in a particular Member State of the European Union;
- 17) the person is forced to change religion, most often after entering into a sham marriage;
- 18) after the registration of a marriage, the attitude of a third-country national towards the spouse rapidly changes; often enough the person's possibility of leaving the house alone, meeting friends/acquaintances, contacting relatives staying in the motherland is restricted;
- 19) victims of sham marriages often do not tell the truth to embassy

employees/police officers and employees of other state institutions, since they believe that the development of the situation is their own fault;

- 20) the woman is forced to unwanted sexual relationship, violence is applied against her, but she does not tell anyone about it, believing it to be a family dispute;
- 21) the person is used for other types of trafficking in human being; family members and friends of the third-country national are often involved.

6. Support System for Victims of Exploitative Sham Marriages

Each country has set standards for providing assistance to victims of trafficking in human beings. They may be different in each country, taking into account the legislation existing in the country, national support mechanism and programmes for the victims of trafficking in human beings, yet observing the victim's fundamental rights to receive this support. In accordance with the European Union Strategy towards the Eradication of Trafficking in Human Beings 2012–2016⁴⁴, Member States of the European Union should ensure that official functional National Referral Mechanisms are developed. Within the framework of these mechanisms, it would be necessary to describe a procedure for identifying victims better, consulting them and providing protection and assistance to them; they should involve all the authorities of the relevant country and the civic society. It would be necessary to include also criteria for victim identification, which would be used by all involved parties.

In order to manage the rehabilitation and reintegration of a victim in the most effective manner, it is necessary to assess the victim's needs and resources precisely, offering an appropriate, purposeful and assessable service, observing the principle of a holistic approach — victim's personality in time and social environment as a whole. The understanding of a team of interdisciplinary specialists, which works together with a victim to attain a common goal — person's integration in society, is important.

⁴ COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016; http://eur-lex.europa.eu/legal-content/EN-LV-LT/TXT/?uri=CELEX:52012DC0286&from=LV

6.1. Contact with a Victim of Trafficking in Human Beings

It is important to remember that assistance to a victim is based on the fact that the recruiter or organised criminal groups should undertake primary responsibility for the occurred involvement in trafficking in human beings; however, initiative for its discontinuation must be undertaken by authorities, for example, law enforcement authorities, rather than the victim.

The fundamental principles of assistance to a victim should be based on the following:

- 1) clearly identifiable and common assumptions and theories on the cause of trafficking in human beings and effective measures for the prevention thereof;
- 2) interference strategies tested in practice to create a safe environment and comprehensive liability of institutions, assessing all elements of trafficking in human beings in a relevant case;
- 3) well-defined inter-institutional cooperation methods determined by victim protection programmes.

Assistance to a victim of trafficking in human beings often starts with a need to reveal, realise and admit the events. No matter which member of society is the first contact person of a victim, the next step is always the motivation of the victim to receive assistance and cooperate with specialists (police officers, social workers, orphan's courts, psychologists, etc.). Particularly in case if the victim wishes to keep the incident in secret and to trust only one contact person, only cooperation with a team of specialists can change her stigmatisation and "sticking" in the victim's role with all psycho-traumatic consequences.

The next practical step will always be **the creation of a safe social environment**. It will mean the assessment of realistic threats and protection of the victim from the possible assaults of violent persons (recruiters, users), as well as ensuring confidentiality and, if possible, support from close persons and the reduction of subjectively experienced fear and panic, if necessary, ensuring guidance. Only under safe conditions, can rehabilitation and processing of traumatic experience begin. A safe

assistance environment means ensuring conditions, under which the victim can speak about the things experienced without any shame or guilt, feeling acceptance and empathy regardless of the circumstances of the case.

Several approaches for maintaining a safe contact:

- attitude appropriate for the situation (respecting victim's tension, sensitivity and vulnerability);
- particular conversation, without using slang or sarcasm;
- using humour, figurative meaning, abstractions, and generalisation attentively;
- active listening (including reflection of experience and emotions, reflection of content) without judging;
- harmonisation of the specialist's and victim's activity (without forcing the depressive or confused victim to conversation, handling the angry or hysterical victim with patience).

The specialist must take into account that **it is crucial for the victim to show emotions** and learn to handle them. The following would be the most important victim's emotions, which should be taken into account by anyone, who contacts with the victim of trafficking in human beings:

- fear (from punishment; judgement; from the fact that the abuser will find her; that the surrounding people will find out about the incident; from diseases; nightmares; from ending up alone);
- awareness of guilt (of the incident; violation of religion; inability to provide for a family);
- anger (to herself, that she allowed such an event; to society, family, friends, who did not protect her; to the fact that the previous course of life has ended);
- shock (Did it actually happen to me?; inability to cry or express emotions);
- shame (feels dirty, used and humiliated; shame from others, if the incident is revealed);
- lack of trust (to own abilities to make decisions; to changes in future; no trust that people wish to help to recover from the incident);
- helplessness (loss of control; inability to find helping resources);
- depression (pessimism; "nothing can get better"; indifference);
- denial (blocking of memory; "it did not happen to me");

- disorientation (inability to concentrate, to sit calmly; difficulties with living out every day; memory problems);
- betrayal (from those who performed recruitment or familiarised with recruiters; from God or another faith carrier; from the state; from family).

The person, who suffered from trafficking in human beings, is subject to the risk of the post-traumatic stress disorder (PTSD). **The post-traumatic stress disorder** can recur for a long period after the traumatic experience. There are several symptoms suggesting the post-traumatic stress disorder. Knowing these symptoms helps the contact person recognise the post-traumatic stress disorder with a victim, to provide initial assistance and attract necessary professionals of another field.

The following are to be mentioned as the main symptoms of the post-traumatic stress disorder:

- periodic memories, dreams and nightmares about the incident;
- sudden fear of that the trauma can recur. It is manifested as hallucinations, retrospections, illusions and repeatedly experiencing the incident. These symptoms occur with the victim being awake, also if intoxicants are used;
- explicit distress in situations that remind of the incident;
- the victim will endeavour to fight off and avoid everything that can remind of the incident, while if its impossible, the victim will become apathetic, insensitive;
- possible memory disorders;
- lost interest in or knowledge of things that were significant and important before the negative experience;
- the victims isolates herself from other persons; believes that future is impossible;
- insomnia;
- anxiety and sudden anger;
- concentration and attention difficulties;
- nervousness, explicit anxiety and suspiciousness;
- the victim is easier to scare;
- physical indications (for example, shaking, speech twitching, etc.) are observed, if any events or persons remind of the suffered trauma.

6.2. Consequences of Exploitative Sham Marriages

Before commencing support, the psychological, physical and emotional condition of a victim in general must be assessed. In assessing the situation of each victim of an exploitative sham marriage, specialists must assess the seriousness of the incident, seriousness of the harm, victim's ability to perceive reality, victim's mobility — ability to change, possible mechanism of overcoming the situation and other resources, life history, including past crises, risk of suicide, as well as person's motivation to get involved in the process of receiving support.

The main attention is to be paid to the consequences of trafficking in human beings and its form "exploitative sham marriage", which may result from the particular event the victims has experienced, e.g. isolation, keeping hidden, sexual or other forms of violence.

Recruiters often use psychological methods to "break" their victims. The power over victims is even stronger, when organised criminal groups control the entire "chain", starting from recruitment, then transportation and ending with exploitation. For a child in case of sexual exploitation, consequences can remain during the entire life and seriously hinder or delay his/her physical, psychological and social development.

By understanding the possible negative consequences resulting from an exploitative sham marriage to a victim it is possible to provide the necessary assistance to the victim. Due to the versatile needs of the victims professionals from different fields need to be included in the assistance. Falling as a victim of an exploitative sham marriage affects many functioning areas of an individual. The main of them are mentioned below:

1.	Changes in behaviour are expressed as the following:	
	destructive behaviour (aggression, auto-aggression or self-blaming,	
or c	ausing other harm, including bad habits, for example, consumption of	
ntoxicants, etc.);		
	position of helplessness (inability to protect oneself even in situations,	
n w	hich it used be possible before, and passive behaviour);	
	undertaking of inappropriate liability.	
Peo	ple, who do not know the personal history of the victim, may find this	

behaviour incomprehensible or deliberately aimed against them; therefore, aggression causes aggression, starting a circle of closed reactions and counter-reactions, which may transform into another circle of violence in a partnership.

2. Changes in social functioning:

- Previous positive support relations, partnership or even relations with minor children are discontinued; they become stressful, full of impulsive behaviour and blaming.
- Often enough, close relationships are affected by the actual or imagined need to hide the incident, believing that relatives, friends or other persons, having found out about involvement in trafficking in human beings, will judge, turn away, blame the victim herself or show unrestrained and incorrect curiosity.
- Functioning in the social environment is often hindered also due to decrease in capabilities to work and study. Possibilities a person would have used before the experienced incident (for example, training or practice abroad within the framework of the student exchange programme) are not used.
- Public activity, involvement in groups of interests, amateur performances, active service in parish together with others — everything that might promote psychological restoration becomes so difficult that the victim gives way to the feeling of helplessness and hopelessness.
- Possible negative changes in self-concern and maintaining closest surroundings, which promotes dissociation and isolation even more.
- Unhealthy relationships can start instead of it; these relationships are dominated by undertaking of excessive responsibility for a "poor one", hoping for a positive assessment and self-persuasion, or conformity, refusing from responsibility and fulfilment of own needs at the same time.
- The risk of occurrence of bad habits as different types of addiction is extremely high.
- 3. **Changes in the economic area**: due to decrease in capabilities to work or study, the maintenance of employment relationship and fulfilment of professional duties is limited, which reduces the obtaining of income and worsens the financial situation. At least during the overcoming of the

crisis, the victim requires financial support.

4. Changes in emotions and feelings:

- the victim experienced negative emotions a lot more often, even if life goes on calmly and without traumatic events;
- not only danger signals are perceived extremely sensitively, but also neutral stimuli are perceived as threats. For example, a person, who has experienced beating or other physical violence, will perceive a hand raised by another person as a threat of blow, rather than the first part of a stroke movement;
- the victim is often unable to maintain physical closeness, perceives kindness or assistance offer with suspicions;
- long-term traumatic conditions are typical (anxiety, depression, post-traumatic stress disorder, dissociation, fluster).

5. Changes in thinking abilities:

- all processes requiring effort occur more slowly and difficultly (for example, attention span and switch, concentration, consistency of thinking);
- the scope of perception decreases.

6. Changes in physical health and well-being:

- To survive psychologically, the victim may "push" the incident to the sub-consciousness, where its created tension consumes both psychic and physical resources;
- Different psycho-somatic symptoms occur headaches, stomach aches, cardiac function or digestion disorders, sleeping or eating disorder, nervousness, inability to withstand tension, ill-being and immunity weakening.

7. Changes in the existential area:

• Ending up in a situation of helplessness and dependence, in a situation when it is impossible to protect oneself, causes the following thoughts: "the world is mean", "safety is impossible", "I am worthless", "I am nothing".

7. Preventive Measures for Reducing the Phenomenon of Exploitative Sham Marriages

Preventive work can be performed by any person working with society and marginal groups, since they are target groups of human traffickers. **Specialists of various fields can ensure a significant contribution to prevention** — social workers, police officers, media representatives, teachers/educational staff, health professionals, staff of the youth centres and social care centres, border guards, librarians, employees of the State Employment Agencies, recruitment office employees, airport workers, guardians, lawyers, prosecutors, etc., who obtain knowledge and pass it further.

To ensure purposeful preventive measures, it is necessary to know **the potential risk groups** of trafficking in human beings, including victims of exploitative sham marriages. These include the following: people, who obtained only secondary or lower education; persons, who have suffered from violence before; unemployed persons and job seekers; persons, who lack financial resources for obtaining or continuing education; women; minors; children — orphans, children and teenagers living in institutional care establishments; children and teenagers from the families with a high social risk; street children; children, whose parents went abroad to earn, etc.

Preventive measures include different forms and methods. The following are to be mentioned as the most important information channels: helplines, informative materials, campaigns, discussions, programmes in media, information in social networks, handbooks and seminars for different specialists, lectures for potential risk groups, video clips, victims' stories, Information available from the internet and many more.

8. How to Use Information Specified in this Training Material?

The developers of this Training Material, based on the theoretical and practical information included in the material in the chapters 1-6, recommend organising two-day training courses, devoting 10-12 academic hours to theoretical information and 4-6 academic hours to ensure practical

work for developing the skills of prevention activities.

To reflect topics, you can select methods that would be, in your opinion, the most appropriate for the selected target audience, using topics described in the Methodological Material as the basis.

In turn, exactly the practical work for developing the skills of prevention activities will show whether the members of the training group will be motivated to pass newly-obtained knowledge to other target groups; therefore, to fulfil tasks, a description with different methods and their application, which can be used for developing skills (Annex No. 2), and a description of target groups (Annex No. 3) have been developed.

To fulfil the task, you will offer participants of the group (individually, in pairs or in small groups) to choose one target group and any method to be used in work with the selected target group. For example, **the target group** — youth leaders, **the method to be applied** — role play. In such case, you can use also additional materials from Annex No. 1: **Case examples**.

Participants of the group are given a **task**: to choose a topic from the theoretical part; use a particular method to present the selected topic to a target group, involving the group, for example, in a role play.

If the group wishes to diversify methods, it can be given an opportunity to choose one or 2 more additional methods, for example, a discussion or analysis of a case (Annex No. 2).

After on average 15-20 minutes, a task is given: to present a prevention activity for a particular target group. Other participants play the role of a "target group" and provide their feedback after the presentation as to whether the provided information was appropriate and understandable to the target group, whether there are any questions that would require additional information. If necessary, such information is ensured by lecturers – experts. It is highly important for trainers to know the contact information of those institutions in their country, which can provide assistance to the victims of exploitative sham marriages.

The most important part of the task is to motivate future trainers to speak on the topic, regarding which knowledge was obtained, regardless of the fact that not all questions can be immediately answered.

The task can be repeated in other training groups, creating completely new combinations, for example, the target group "youth leaders" and the method "brainstorming".

9. Recommended Literature

- 1. United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children https://ec.europa.eu/anti-trafficking/legislation-and-case-law-international-legislation-united-nations/united-nations-protocol-prevent_en
- 2. Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA http://eur-lex.europa.eu/legal-content/LV/ALL/?uri=CELEX:32011L0036
- 3. Council Resolution of 4 December 1997 on measures to be adopted on the combating of marriages of convenience; http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A31997Y1216(01) Handbook on addressing the issue of alleged marriages of convenience between EU citizens and non-EU nationals in the context of EU law on free movement of EU citizens http://ec.europa.eu/justice/citizen/files/swd_2014_284_en.pdf
- 4. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL Helping national authorities fight abuses of the right to free movement: Handbook on addressing the issue of alleged marriages of convenience between EU citizens and non-EU nationals in the context of EU law on free movement of EU citizens /* COM/2014/0604 final */ http://eur-lex.europa.eu/legal-content/EN-LV-LT/TXT/?uri=CEL EX:52014DC0604&from=LV
- 5. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016; http://eur-lex.europa.eu/legal-content/EN-LV-LT/TXT/?uri=CELEX:52012DC028 6&from=LV
- 6. http://www.earlylegalintervention.eu/resources/
- 7. National Anti-Trafficking Web Page (Latvia) http://www.trafficking.lv/en/
- 8. Potter–Efron, R. T. (2005). Handbook of Anger management. London: The Haword Press, Hereinafter Potter–Efron, 2005
- 9. Compass Manual for human rights education with young people; http://www.coe.int/t/dg4/eycb/Source/Compass_2012_FINAL.pdf

Case examples

Case No. 1

The Klaipeda region law enforcement institutions initiated one of the pretrial investigations, when officers from United Kingdom received an inquiry about suspected perpetrators. At the same time, in the small Lithuanian town, a young woman contacted the police and said that she had been taken to the United Kingdom by means of deception when she was promised a job at a factory for clothes sorting. Together with a female suspect, the woman was taken to the United Kingdom in a minivan. The costs for the trip were covered by an unknown third country national, who did not speak Lithuanian. The victim saw how money was dropped on the bed [by suspected woman], out of which she [suspected woman] took 200 pounds and handed it to the victim. The woman did not understand what was happening then. In the evening, the third country national, who had paid for her trip started harassing her sexually and demanded sexual services from her [at that stage, he did not demand marriage]. The woman did not speak English, but managed to elude him. The woman did not have her phone and her identity card that was also taken during the trip to the UK. Later, the woman asked the third country national if she could use his phone to call her friend who lived in small town. Since her friend had acquaintances in Ireland, the victim was able to contact them and they phoned London police by giving approximate location of the victim. Police arrived, set the victim free and, at the same time, released another young female who was held in the same apartment. London Metropolitan Police started an investigation. In Lithuania, on the same basis, a criminal investigation was started, which later grew into a joint international investigation. Therefore, Lithuanian judicial institutions started a pre-trial investigation. It was later discovered that young women from the Klaipeda region was systematically recruited, sold and transported to the UK, where they would be married to third country nationals for a certain sum of money. So-called intermediaries would receive a portion of the payment. They would take one third of the total sum. The remaining portion of the sum would go to the woman. Afterwards, these women would return to Lithuania, but from time to time, they would have to appear before migration officers regarding the truthfulness of marriage. Therefore, before marriage the so-called groom and the bride would be given information

about each other so they would learn it, absorb it, and answer correctly each time they would have to appear at the migration office. In the United Kingdom, at the end of the investigation, a cohabiting couple (Lithuanian citizens) and an Afghani were sentenced for trafficking in human beings for organising sham marriages. The woman was sentenced to 10 years in prison, her cohabitant 6 years in prison and the Afghani (who 'bought' the bride) to 5 years in prison.

Case No. 2

A pre-trial investigation was initiated by law enforcement institutions in one Lithuanian town, were three young women as victims of exploitation (in organising sham marriages) were identified. Some person in town's sub district contacted police, having suspicions that a young woman was being sexually exploited. Police got involved and during the collection of information, it was discovered that the woman was taken abroad by the same man who sexually exploited her. The victim told the police that one time she went abroad with one woman, later with another. Police started looking for the other women. In total, three victims were identified. Since all women were from the countryside, they were all related in one way or another. An inquiry regarding sexual exploitation was made on behalf of one of the three women who had a mental disability. According to representatives of non-governmental organisations, the woman who had a mental disability was naive and trusting. There were two other women, working in the farm for the same man. The two girls met when they both were transported to the United Kingdom to conclude sham marriages. They were told that 'you will go there, you will meet guys, you will get married, will stay a little, in two weeks we will take care of the documents, you will get the money and we will bring you back to Lithuania'. A Lithuanian citizen accompanied them to the United Kingdom, but he was not the same man who recruited them. Upon their arrival in the United Kingdom, other Lithuanian citizens (a man and a woman) met the women. The women lived in a flat together with three or four third country nationals. The above mentioned woman with mental disability (sexually exploited in Lithuania) was also sexually abused in the UK.

After two weeks, the women returned to Lithuania. They did not get the money as they were told that not all documents were taken care of. Therefore, money would be handed after marriage. After some time, the woman with mental disability, together with another woman, were transported to the same place abroad. The women stayed for two weeks until the documents were taken care of. Finally, a conflict between the Lithuanian intermediaries and third country nationals started, so the women were brought back to Lithuania and sham marriages were not concluded.

According to social workers, one of the victims came from a rather well established family, but moved to live in the village at her boyfriend's place. Another woman was from a poor family. Her parents had an alcohol dependency. The woman grew up in orphanages and socialisation centres, she had a tendency to consume alcohol; she would occasionally work. According to the representatives of non-governmental organisations, "money and 'seeing the world' were the main aspect of recruitment — as recruiters promised the women a reward and an opportunity to see the United Kingdom. All women were recruited separately. Organisers were Lithuanian citizens of different ethnicities; the clients were third country nationals (Pakistanis). There was an intermediate in United Kingdom; she was a Lithuanian citizen, who looked for 'clients' for sham marriages. As it was discovered during the investigation, the women knew the recruiters who talked to them, accompanied them and drove them. One of them went to United Kingdom with them.

Case No. 3

A victim was addressed by a group of young men, which, according to information from the police, commits various criminal activities. The victim was promised a well-paid job and a better life abroad. She did not believe them at the beginning and so one of the group members intentionally pretended a close relationship to her. The victim fell in love with this man and under his influence and pressure she left home and go to abroad. After some time, the group of young men wanted her to marry a foreigner in Germany. There was an attempt, but the victim went to the police to report the attempt. After two months, the man who pretended a close relationship with the woman asked her to go to Ireland with him to work together. They travelled to Bratislava (from east of Slovakia) where they met with an unknown Pakistani national. On-the-spot her boyfriend announced her that she would travel alone to Ireland, with the Pakistani

national as he allegedly needed to facilitate certain things in Slovakia and he would join her later. In Ireland she found out that her boyfriend sold her to this Pakistani national who subsequently sold her to another Pakistani. Under threats she travelled with this man by boat to the United Kingdom. The marriage was not concluded. She was offered assistance by NGO and a return home. After returning to Slovakia, during January 2014, she was included in the Programme and filed a criminal report.

Case No. 4

A woman, let's call her Monika, had no strong social ties, came from disadvantaged social backgrounds of the Košice region, and stayed in the centre, which provides, inter alia, care to young adults after leaving institutional care. She was addressed by a friend to come to the shopping centre where the friend was waiting for her together with other two men. The younger of the men offered Monika a well-paid job for three months in a pharmacological company in Austria where she was supposed to sort out expired medication. He told her that she had nothing to worry about and that it was a serious job, and that her friend was coming as well. This information was sufficient and Monika entered the car of these men. Before leaving the country they stopped in the centre where she stayed, in order to pick up Monika's documents and her birth certificate. The older of the men did not go with them and another man stepped in. They travelled through Hungary. They spent a night in a hotel where the younger men tried to rape her. After the rejection he was cursing, yelling at her and told her for the first time what she would be doing in Austria.

Monika had a mobile phone and contacted her friends, to give her advice on what to do. The next morning she announced the man that she wanted to go home. Men under the pretext that they would take her to Bratislava, drove her up to an apartment in Vienna where another Slovak woman lived with an Albanian citizen. The Slovak citizen controlled her movement. Monika once again reiterated that she wanted to return to Slovakia. The whole group went together to the cafe, where another man was waiting for them. Then they went to another apartment where other Slovak women were working as prostitutes. As Monika insisted on going home the man who promised her work, drove her to Austrian-Slovak border. Before they left they threatened her not to tell anyone what she saw. A couple of

months later, this group of men again sought for Monika with the aim not to offer her well paid job, but to conclude marriage for money. Under the pretext that he went to pack her things, she called the police and then she was taken to a secure accommodation and included in the Programme.

Case No. 5

A young woman from Estonia, I.M., who was working and living in Italy, turned to the Estonian embassy in Rome at the end of 2014 to renew her passport. During the visit to the embassy, several men of Egyptian nationality accompanied her while she made an enquiry about documents she needed to marry a third-country national. Further interviews revealed that she did not yet know the name of her future fiancé, who supposedly was also of Egyptian nationality. After receiving a tip about the possible sham marriage preparation from the embassy, the Human Trafficking Prevention and Victims Help Hotline contacted the woman. Consultants phoned her several times before I.M. replied herself; during the conversation, they informed her about the potential risks and negative consequences associated with involvement in a sham marriage. The woman was also encouraged to contact the hotline if any further assistance was needed. The hotline consultants were also left with the impression that I.M. had little knowledge or understanding of the marriage registration procedures and that the process was organised and coordinated by a third party.

In January 2015, I.M. contacted the Estonian embassy again to seek assistance in preventing her husband from entering Italy. She had earlier travelled to Egypt and there had married an Egyptian man, H., who now wanted to migrate to the European Union. She was enquiring about possibilities to end the marriage, as the man was only interested in the marriage as a means to facilitate his migration.

After receiving the information, the Hotline Service tried contacting I.M., but her phone was answered by a man who referred to himself as her friend and spoke English with a heavy non-Italian accent. After calling back several times, I.M. finally answered the phone herself and she was given information about the general legislation on marriage termination and about the fact that her divorce might need to be granted by the Egyptian authorities. The woman appeared overwhelmed by the complexity of the legal issues and stated that she had difficulties in communicating with her husband. Later she mentioned that she planned to enlist the help

of another Egyptian friend who promised to negotiate with her husband about the possibility of filing for a divorce in Egypt. In order to ensure the woman's safety, communication with I.M. was conducted in Russian so that it would only be understood by her and could not be monitored by the person who answered her phone earlier. Several days later another foreign man called the hotline number from I.M.'s phone, making enquiries about what kind of number it was.

It turned out later that the promises of divorce were not true, since in February 2015 I.M. sent a letter to the Estonian embassy, stating that she was afraid to refuse to help her spouse come to Italy, because she was being kept under surveillance and something bad might happen to her. The woman appeared very distressed and fearful of seeking help from the Italian authorities, since she had initially consented to enter into a marriage that turned out to be sham. Due to the fact that woman was continuing to live and work in Italy, information on the case was forwarded to an NGO that was involved in the prevention of human trafficking in Italy.

Case No. 6

In 2010 a young Estonian woman K. from P. [town in Estonia] was contacted by her female childhood friend, who informed her of a possibility to go and work in The Hague, in the Netherlands. According to the offer, a woman from Estonia, M., was looking for young women to work in a bar. In August, K. travelled to the Netherlands.

Upon arrival, M. took K.'s personal documents, stating that she needed them to arrange K.'s work permit. K. was placed in an apartment with a man who was supposed to keep her under constant surveillance. During the first two weeks, M. and the other organisers were very friendly with K., organised regular parties and posted many pictures of them spending time together on Facebook. However, after K.'s documents were taken away, she learned that in reality there was no job for her there. Instead, M. tried to force K. to marry a Turkish citizen, who wanted to obtain an EU residence permit. M. told K. to memorise information from a piece of paper listing the name, date of birth and other personal information about the prospective spouse. K. refused to conclude the marriage and tried to contact her family to help her return to Estonia, since she did not have money to purchase the ticket herself. K.'s mother said that she could not help her in this situation.

K. was kept in the Netherlands for a total of two months under the control of M. and the man living in the same apartment. During this period, she was raped twice and as result of this became pregnant. Eventually, K. managed to get hold of her ID card and sent an e-mail about her situation to the Estonian media, who forwarded information about K.'s situation to the Estonian Human Trafficking Prevention and Victims Help Hotline. After this K. was assisted to the Estonian embassy in the Netherlands were she was also interviewed by the Dutch police, who identified her as potential victim of trafficking. The police also escorted K. to the airport, since she claimed to be interested only in going back home.

Upon her arrival in Estonia, K. was received by representatives of Estonian anti-trafficking NGOs who informed her of the available assistance options. K. refused the assistance and has instead returned to her hometown. According to the experts, this kind of behaviour is very common among people who have experienced sexual violence and other kinds of psychological trauma.

After her return to Estonia, K. reported experiencing nightmares and other health issues. She also started receiving text messages with threats from the organisers in the Netherlands. At that point, K. contacted the Hotline herself and agreed to receive psychological assistance.

After the threats continued, K. also agreed to cooperate with the police in Estonia to investigate the case.

Case No. 7

In autumn 2009, a friend Ina invited Mudite (Mudīte) for a visit to Ireland and promised Mudite to find a job. Ina bought an air ticket. Upon arriving at Riga Airport, Ina told Mudite, among other things, about an opportunity to live together with a man and to get married. Mudite took this offer as a joke and left to Dublin together with Ina. In Dublin, Mudite stayed at Ina's. The promised job was already taken. Ina promised to find another job. On 22 October 2009, a man named Hamid appeared at Ina's apartment and, without explaining the reason, took Mudite away with him. He promised Mudite safety, respect and a separate room to live, as well as a job. For Mudite to be able to start working, she had to comply with the employer's "requirements". Only married women were hired. Hamid offered to get married for Mudite to be able to get the job. At the same time, the friend Ina reminded Mudite that she had covered all flight costs and that Mudite

owed to her, that the debt had to be returned, even though nothing had to be paid before the trip, and Ina told that the trip was included in the debt. Hamid promise that he would help Mudite to extinguish the debt. At the time, Mudite did not understand that she was manipulated. Mudite had no one to take care of; her mother was indifferent about what Mudite was doing, only for her not to scrounge of her; therefore, on 22 April 2010, Mudite agreed to enter into a marriage with Hamid. The wedding was organised by Hamid and his friends; the wedding took place at the Registry Office. After the wedding, Mudite went together with the husband to some immigration authority to apply for his residence permit. On 29 April 2010, Mudite returned to Latvia.

In Latvia, Mudite was living in Saldus with a friend of hers. The fictitious husband residing in Ireland called Mudite from time to time and made her return to Dublin, because he needed evidence that his wife was living together with him. Friendly and frequent phone calls, e-mail letters, in which he threatened to tell everything to Mudite's friend in Saldus, nonetheless encouraged Mudite to go to Ireland once again.

In Ireland, the husband prohibited Mudite from leaving the house alone. Hamid took away Mudite's passport and did not give it back. In Ireland, Mudite gave birth to a daughter. The biological father of the daughter was from Latvia. Hamid registered the girl as his own daughter. After Hamid received a residence permit, he started treating Mudite and the newborn violently. Hamid beat the child, sexually abused Mudite against her will and was sexually violent. On 3 May 2013, Mudite applied for help to the Irish police and was placed in a crisis centre together with the child. The husband Hamid asked for forgiveness and tried to allure Mudite for her to return. Mudite believed him and on 29 May 2013 returned to live with the husband. However, violence continued, and on 14 June 2013, Mudite repeatedly, along with her minor child, was kicked out to the street without any means of subsistence. Mudite and her daughter were placed in the Irish crisis centre. With help from the police, Mudite contacted the Embassy of Latvia in Ireland. In the embassy, Mudite and her child received return certificates and were recommended applying to the Society "Shelter "Safe House"".

Case No. 8

Anda grew up in a family with nine children. Anda has category II disability

— intellectual disability. Being of minor age, Anda studied at a special training and care institution (boarding school). After finishing school, Anda gave birth to a son. The child's father was some classmate of Anda's. Anda brought up the son alone, lived together with parents and eight brothers and sisters in a two-room apartment. The ex-wife of Anda's brother promised to find a job and provide all sorts of help.

Brother's wife bought tickets, put Anda on a plane and told that a person would meet her at the airport, who would help her with finding a job and living. Anda together with a six-month-old son arrived in Ireland at the end of 2009 with an aim to work. Anda did not have even the basic knowledge of English language. A job offer was received from the brother's ex-wife. In the airport of Dublin, a citizen of Pakistan met her and took to the next place of residence in Newcastle West. A few days later, she was offered EUR 500 for a marriage and an opportunity to return to Latvia after entering into a marriage, as well as good life for herself and her son. No other options were offered. With the help of a dictionary, Anda tried to ask, where the promised job was. The future husband told Anda that Anda arrived there to get married, that he had paid for Anda and that they had to get married. The marriage was registered in Ireland in 2010. After receiving a residence permit, the husband became even more aggressive and violent towards Anda and her son. Often enough, Anda and her son had nothing to eat; the husband beat Anda and her son. Anda did everything the husband told her, since a wife must fulfil wife's duties. If Anda did not listen, the husband would beat her.

When Anda's passport expired, the husband took Anda to the Embassy of Latvia. Some time later, Anda contacted the embassy to ask for help in returning to Latvia. In the evening on the very same day, Anda and her minor son was met by the police and embassy workers at the airport of Dublin, who helped Anda escape from the husband's house during the day. Anda told embassy workers and the police that she was sexually abused and was pregnant. Anda and her minor son were repatriated to Latvia with the embassy cooperating with the Society "Shelter "Safe House"."

In Latvia, Anda gave birth to a son. Some time later, Anda's husband started inviting Anda and children back to Ireland. Anda decided to go back to Ireland once again to the husband, since she had no means of subsistence in Latvia. The only family income was social allowances. In November 2012, Anda together with her minor children went to Ireland

to her fictitious husband, a citizen of Pakistan Usman. Anda did not know that her fictitious husband needed to prolong the residence permit. Anda was convinced that the husband wanted to be together with her and their common child. While in Ireland, Anda did not work anywhere although a job was promised. One-way tickets were bought by Anda's fictitious husband. Anda was promised that she and her children would be provided with everything and she would be able to settle well in Ireland. After arriving in Ireland, Anda stayed with her fictitious husband. At the beginning, the husband treated Anda well. After a month of staying in Ireland, Anda discovered that she was pregnant and husband's attitude to Anda changed rapidly. The husband become even more aggressive than before and was physically violent to Anda. Anda was regularly physically abused and kept half-starving. Children were physically abused as well. Anda was prohibited from receiving medical assistance; she did not visit gynaecologist. Anda could not withstand it any more and in January 2013, she applied for help to the local government and the Society "Shelter "Safe House"". With the financial aid of the local government, Anda returned to Latvia together with her children on 25 January 2013.

Offered methods of work are mere recommendations, yet the lecturer can adjust them according to own wishes and skills, as well as needs of the group. Each lecturer is invited to add own methods to the methods offered below, thus forming an individual approach to group management.

Method

Method Description

Discussion

The progress of a discussion requires a question to be discussed, for example "What are your thoughts about....?" A discussion helps the trainer and participants to find out their attitude to a particular question. Each discussion participant has his/her own previous experience, including in relation to the asked question; therefore, discussion helps in generating/hearing other ideas and searching for other solutions.

Discussion can occur in a large group, pairs and small groups. If discussion occurs in pairs and small groups, discussion is planned to last up to 5 minutes, whereafter discussion results/ideas are discussed in a large group.

Lecture

A lecture is most often planned for educating professionals of different sectors and usually takes 180 minutes. It can include both visual presentations and oral presentation of the material. If visual presentations are used, they should be available to listeners also after the training (sending them to listeners, ensuring a reference to the availability of the material on the Internet website, etc.).

The conclusion part of a lecture should include time for the question part for listeners to be able to find answers to questions. Usually, the lecturer specifies his/her e-mail address, which listeners can use for obtaining additional information.

If lectures are organised for young people, their duration is up to 45 minutes.

Mini-lecture

The advantages of a mini-lecture arise from the brief summary

of the material, devoting most of the training to the question and answer session. The duration of a mini-lecture amounts to 20 to 45 minutes. In order to use the time devoted to training usefully, questions should be prepared for the group on the topic of the mini-lecture.

Brainstorming

Brainstorming is most often used for learning a new topic before it is discussed, finding a solution for a problem, searching for answers to particular questions, and for the generation of ideas. Brainstorming is based on the question that might have many possible answers, which are recorded in the form visible for participants, for example, by writing them on the board or wall. When there are no more ideas, brainstorming should be ended and additional comments on the ideas expressed should be requested.

Brainstorming promotes the creativity of participants, gives energy to the lecture, as well as allows for finding different solutions for the identified problem within a short period.

Work in pars / work in groups

Work in pairs or small groups differs from work in a large group, since every participant of a small group (up to 6 persons) is motivated to participate in resolving of a question, offering his/her strengths to the group. Work in groups develops cooperation and communication skills, as well as makes different people harmonise and make a joint decision.

Work in groups is planned to last on average up to 20 minutes, yet its duration may depend on the number of tasks. The task must be clearly defined and aimed at the result, which is to be presented to all the group after the work in pairs/groups.

Role play

A role play helps participants to become familiar with the situation of participants of the analysed case, increases empathy abilities, helps in finding reasons for the development of the situation and offers different alternatives for resolving the situation. It is improvisation, yet it is not meant for developing acting skills.

For a role play, a brief insight into the situation is given, participants of the situation are defined, description of participants and the

problem are provided.

Participants of a role play (most often in a small group of 6-8 persons) are given a task to play out the described situation, using own vision, experience and materials available in the training environment as the basis. In turn, the trainer and other training participants express also other solutions that form several alternatives for resolving the case.

The length of a role play depends on the complexity of the given task, yet it should not be so complicated that participants are unable to fulfil it.

Sufficient time should be devoted for fulfilling the task, although in event if moderator's assistance is necessary, it should be possible to receive this assistance for the more qualitative fulfilment of the task and avoid creating psychological discomfort in applying the method.

Time is necessary also to "come out" from the assigned role, analyse the situation and reduce emotional sufferings for any person involved in the situation, with whose role the trainee has become familiar.

Simulation games

To organise simulation games, it is necessary to prepare a scenario, which would involve all participants of the game. Simulation games actually provide little possibilities for improvisation, since situations are predicted for participants to be able to experience situations to the extent possible, as well as for them to occur in a safe environment.

Particular importance is attributed to discussions after simulation games, since it is necessary to discuss feelings caused by participation in a simulation game — experience control; wish to change the situation, yet inability to do so; vulnerability; situation development, etc.

Analysis of social cases

This method is most often applied for increasing the professionalism of inter-institutional groups, since it uses real cases with real people, whose situation should be resolved, attracting representatives of several professions.

In analysing a case, a large group is divided into smaller groups of

up to 6 persons (the number of persons may be smaller as well). Small groups are offered different social cases, yet tasks and questions should be identical. At least 30 minutes are planned for the case analysis for the group to be able to become acquainted with the case in detail and answer asked questions.

After analysing a social case in a small group, its results are presented to the large group, providing group's answers to defined questions. The trainer ensures feedback on the work of the group.

The analysis of social cases shows situations the specialists of several sectors do not see as a resource in resolving particular social situations; therefore, the trainer must indicate the moment, at which each professional could have got involved for the situation to be resolved to the extent positively for the participant of a particular case.

Question and answer session

A question and answer session may be used as an additional method before, for example, a simulation game to diagnose the level of knowledge of listeners.

If this method is used before, for example, a simulation games, simple questions are defined, showing the knowledge of participants at a particular moment. In such case, after a simulation game, repeated surveying of participants is carried out, showing obtained knowledge.

This method is often used for young audience, where one part of the group asks questions, while the other one answers them, thus all seminar participants and the trainer, who works as an assistant to both parties, are involved in the process.

Work sheets with control questions

Work sheets with control questions can be used as an additional method after, for example, a lecture to check the obtained knowledge. To apply this method, the trainer prepares questions on a particular topic, where several questions have a double-check function: 2 different questions are formulated so as to obtain the same answer. If these 2 different questions are answered identically, the trainer gains assurance that the listener has understood the offered topic correctly.

Work sheets with control questions should not include opinion questions, i.e. questions requiring reflecting own opinion.

Evaluation or from 1 to 10

This method is used if it is necessary to evaluate the most important and least important things, for example, in analysing a social case, a task is given to assess the significance of persons involved in the case in the situation development from 1 to 10, where 1 is the most significant, while 10 — the least significant (number of characters in a social case is 10).

If the number of characters is 8, the evaluation scale will be from 1 to 8.

When division is performed, the group reveals the path of discussion — how they reached such evaluation results.

Booklets

If a topic concerns prevention, the preparation of information in the form of booklets is used for briefly summarising the most important facts on the topic, for the target group to obtain information that would provide knowledge of how to protect oneself from ending up in a sham marriage.

This method is used for new trainers to learn to prepare information in a concentrated form for different target groups.

During the training, this booklet can be reviewed by all the training group and the group trainer.

Analysis of publications/ interviews/ video stories

This method is applied similarly to the analysis of social cases, yet publications, interviews and video stories often feature an opinion of their authors (a member of society, including a journalist, writer, publicist, etc.) on a particular topic. This method is used to discuss stereotypes dominating in society and their occurrence, as well as possibilities of changing stereotypes and prejudices against a particular target group.

Target Groups

Children aged 12-15

Young people aged 15-18

Social workers, who work with young people with minor and medium intellectual disability

Social workers

Police officers

Journalists

Medical workers

Teachers, who work with children below 15

Teachers, who work with youngsters below 18

Youth leaders, who wish to teach youngsters of different age

NGO workers

Persons with minor or medium intellectual disability

Parents from families with many children

Unemployed persons

Librarians

Young people living in social institutions

Employees of the Employment State Agency

Managers of different institutions

Volunteers

University students

Wider public during the campaign

1) European Women are Sold as Slaves to Pakistani moslems in Ireland (3.50 min Ireland + Latvia)

https://www.youtube.com/watch?v=ILVv6J2aHIA

2) Exclusive: Bogus Marriage Operation Uncovered By Sky News (6.54 min, UK, Slovakia)

https://www.youtube.com/watch?v=vm6fBusWQYo

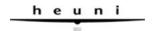
3) ITV Exposure.UK - The Sham Marriage Racket (2015) (49.20 min, UK)

https://www.youtube.com/watch?v=XBPNa7owbUg

- 4) Human Trafficking Be Aware. Cut The Chain. https://www.youtube.com/watch?v=JlrD31xqhUM
- 5) Human Trafficking Is Ignorance a Blessing? https://www.youtube.com/watch?v=jJICAmtYeIY
- 6) Fictious Marriage. Sold Freedom https://www.youtube.com/watch?v=qa-HgpkYdEg
- 7) Human Trafficking Is a Meat Mincer (2012, 1.42 min) https://www.youtube.com/watch?v=j3y_0zSg4EA

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